

Appendix E:

Tenant Access to Information

A. **Documents Releasable to Tenant Groups.** In order to facilitate effective and timely participation in the restructuring process by tenants, residents of the neighborhood, the local government and other affected parties, PAEs must provide tenants and stakeholders with access to the following documents during the restructuring process. The requirement applies only to documents that are available to the PAE. The PAE may charge for the copying costs when copies are requested. Prior to releasing any document, PAEs must review owner or manager provided documents and remove project expense and profit and loss information, unless the owner of the property gives written consent to disclosure of that information.

1. Owner Evaluation of Physical Condition (if any)
2. PAE's Physical Condition Assessment (PCA)
3. Mortgage, Note and associated loan documents
4. Multifamily Summary Appraisal Report (HUD 92264 with comparable sales addresses removed) or other documentation of PAE conclusions as to rents and expenses (except for project specific expense information obtained from the owner, property manager, or HUD).
5. Project rehab/repair escrow items (typically included in the PAE's PCA)
6. Rent roll (names and apartment numbers removed to protect tenants' privacy)
7. Owner prepared one-year project rent analysis
8. Lender supplied property inspection records (if available)
9. Tenant complaints (identities removed)
10. HUD Physical Inspection Reports (HUD 9822)
11. Regulatory Agreement
12. Amortization Schedule
13. Section 8 HAP Contracts & Amendments
14. Rent Supplement Contract
15. Rent Increase Complaints (remove identifying information)
16. General correspondence obtained from HUD files (remove identifying information)
17. Congressional Inquiries obtained from HUD files (remove identifying information)
18. Office of Inspector General (OIG) Audit Findings, Follow-up and Correspondence (clear release with OIG prior to release)
19. Mortgage Record Change (HUD 92080)

20. Management correspondence, unless such correspondence includes proprietary or other protected information.

21. Direct Deposit (SF-1199) - redact account numbers

22. Partial Release of Security if the Release is a matter of public record

B. Documents not releasable to tenant groups. In order to protect the legitimate business interests of owners and to comply with the Trade Secrets Act and the Freedom of Information Act, PAEs **may not** release the following documents:

1. Current escrow balance on loan

2. Rent increase back-up and computation forms

3. Owner's Statement of Profit and Loss (HUD Form 2410)

4. Owner's financing plan

5. Audited financial statements

6. Owner provided expense material

7. Management contract

8. Insurance documents

9. Owner prepared one-year project expense analysis

10. Loan payment history

11. Management Entity Profile (HUD 9832)

12. Management Correspondence with proprietary or other protected information.

13. Management Review Report

14. Residual Receipts Withdrawals and Back-up

15. Partial Release of Security if the Release is not a matter of public record

16. Transfer of Physical Assets

17. Default Notice

18. Accounting Reports (HUD 93479, 93480 and 93481)

19. Statement of Multifamily Mortgage Account Payment Due (HUD 2711)

20. Previous Participation Certification (HUD 2530)